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PATENT MAINTENANCE
DIVISION

Dep' & Ref
Room 307

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Dirk Basting et al.

Application No.: 10/699,763

Filed: November 3, 2003

For: EXCIMER OR MOLECULAR FLUORINE
LASER SYSTEM WITH PRECISION
TIMING

Group Art Unit: Unknown 2004 JUL 20 PM 12: 07

Examiner: Unknown

**REQUEST FOR REFUND
OF OVERPAYMENT OF PRESCRIBED FEES**

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
Telephone: (415) 772-4900

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING

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Box 1450, Alexandria, VA 22313-1450 on July 12, 2004.

STALLMAN & POLLOCK LLP

Dated: 07/12/04 By:

Tanisha Lawrence-Caceres

Sir:

Applicants respectfully request(s) a refund of the overpayment of \$180.00 in prescribed fees submitted with the Information Disclosure Statement, filed on June 14, 2004.

To date, no Office Action has been received in the above-referenced application. Applicants inadvertently proffered the 37 CFR §1.17(p) IDS fee when they mailed the first Information Disclosure Statement to the Patent Office on June 9, 2004 (Applicants' copies of the IDS and postcard are attached).

To date, the overpayment of \$180.00 has neither been returned to us by check nor credited to our Deposit Account No. 50-1703.

Applicants respectfully request the refund of \$180.00 paid in error by either providing the below-named attorneys with a check, or by crediting Deposit Account No. 50-1703 in the amount of \$180.00.

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: July 9, 2004

By:

Brian J. Keating
Reg. No. 39,520

Attorneys for Applicant(s)

Atty Docket No.: LMPY-20310

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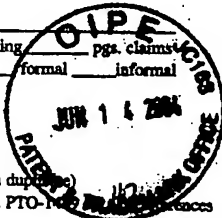
PATENT MAINTENANCE
DIVISION

2004 JUL 20 PM 12:07

Serial/Patent/Reg. No. 10/699,763 S&P File No. UMPY-20310 By: Pyk-tic
In the Matter of the Application of: DWIL DASTIMICIA
Title/Mark: DIMER or Molecular Fluorine laser system with precision timing
Date Mailed: June 9, 2004 Due Date:

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

- | | |
|--|---|
| <input type="checkbox"/> Transmittal Letter | <input type="checkbox"/> Trademark (Use) Appln., Drawing and _____ Specimens |
| <input type="checkbox"/> Patent Application _____ | <input type="checkbox"/> ITU Trademark Application and Drawing |
| _____ pgs. specification including _____ pgs. claims | <input type="checkbox"/> Request for Extension of Time (trademark) |
| <input type="checkbox"/> Drawings _____ sheets _____ formal _____ informal | (Notice of Allowance: _____) |
| <input type="checkbox"/> oath/Declaration | <input type="checkbox"/> Statement of Use/Amendment to Allege Use |
| <input type="checkbox"/> Assignment w/ Form PTO-1595 | <input type="checkbox"/> Section 8 & 15 Declaration |
| <input type="checkbox"/> Power of Attorney | <input type="checkbox"/> Trademark Renewal Application and _____ Specimen |
| <input type="checkbox"/> Small Entity Declaration | <input type="checkbox"/> Opposition to _____ |
| <input checked="" type="checkbox"/> Deposit Account Authorization (in duplicate) | <input type="checkbox"/> Petition for Cancellation |
| <input checked="" type="checkbox"/> Information Disclosure Statement, PTO-1026 | <input type="checkbox"/> Certificate of Mailing |
| <input checked="" type="checkbox"/> Check \$ <u>180.00</u> | <input type="checkbox"/> Express Mail Certificate No. _____ |
| <input type="checkbox"/> Amendment/Response | <input type="checkbox"/> Certificate under §3.73(b) |
| <input type="checkbox"/> Request for Extension of Time (_____ months)(patent) | <input type="checkbox"/> Certificate of Correction (PTO Form 1050) |
| <input type="checkbox"/> Terminal Disclaimer | <input type="checkbox"/> Petition for _____ |
| <input type="checkbox"/> Notice of Appeal | <input checked="" type="checkbox"/> Other: <u>Change of Attorney or Agent's</u> |
| <input type="checkbox"/> Appeal Brief (in triplicate) | <u>Address</u> |
| <input type="checkbox"/> Letter to Official Draftsman | <input checked="" type="checkbox"/> <u>Postcard</u> |
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| <input type="checkbox"/> Maintenance Fee Transmittal | |
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In re Patent Application of

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Application No.: 10/699,763

Filed: November 3, 2003

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FLUORINE LASER SYSTEM WITH
PRECISION TIMING

Group Art Unit: Unknown 2004 JUL 20 PM 12:07

Examiner: Unknown

**INFORMATION DISCLOSURE
STATEMENT**

353 Sacramento Street, Suite 2200
San Francisco, CA 94111
(415) 772-4900

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope, addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on June 9, 2004.

STALLMAN & POLLOCK LLP

Dated: 06/9/04

By:

Tanisha Lawrence-Caceres

Sir:

Applicant(s) submit(s) herewith patents, publications or other information [attached hereto and listed on the attached Form PTO-1449 (modified)] of which they are aware, which they believe(s) may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR § 1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR § 1.97(a).
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR § 1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office Action on the merits, or before a first office action after filing a Request for Continued Examination under §1.114.
- (d) ☐ is filed after the first office action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is

Atty Docket No.: LMPY-20310 (358/U)

known to the undersigned, prior to the mailing date of either a final rejection or a notice of allowance, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below.

- (e) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, whichever occurred first, and the Issue Fee has not been paid, and is accompanied by the fee (\$130) set forth in 37 CFR § 1.17(i)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.

[If either of boxes (d) or (e) is checked above, the following "certification" under 37 CFR § 1.97(e) may need to be completed.] The undersigned certifies that:

- (f) ☐ Each item of information contained in the information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- (g) ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this information disclosure statement.

A list of the patent(s) or publication(s) is set forth on the attached Form PTO-1449 (Modified).

A copy of the items on PTO-1449 (Modified) is supplied herewith, except as noted below.

Those patent(s) or publication(s) which are marked with an asterisk (*) in the attached form PTO-1449 (Modified) are not supplied because they are (a) either U.S. Patents and this an application filed after June 30, 2003, or (b) were previously cited by or submitted to the Office in a prior application no. , filed and relied upon in this application for an earlier filing date under 35 U.S.C. § 120.

A concise explanation of relevance of the items listed on form PTO-1449 (Modified) is:

- (h) ☒ not given

Atty Docket No.: LMPY-20310 (358/U)

20 JUL 20 PM 12:07

PATENT HANDLING
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- (i) ☐ given for each listed item
- (j) ☐ given for only non-English language listed item(s) [Required] 2004 JUL 20 PM 12:07
- (k) ☐ is in the form of an English language copy of a Search Report from a foreign patent office, issued in a counterpart application, which refers to the relevant portions of the references [copy attached].

The Examiner is reminded that a "concise explanation of the relevance" of the submitted items "may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention," MPEP § 609.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR § 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

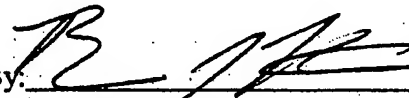
In accordance with 37 CFR § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR § 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR § 1.98 and MPEP § 609 and the Examiner is respectfully requested to consider the listed references.

- ☒ The Commissioner is hereby authorized to charge our Deposit Account No. 50-1703, under Order No. LMPY-20310, for any fees required in connection with the filing of this Information Disclosure Statement. A duplicate copy of this Notice is enclosed for this purpose. In particular, in the event that an Office Action has crossed in the mail with this Information Disclosure Statement, the Commissioner is authorized to charge the above-named deposit account for any fees required pursuant to CFR §§ 1.17(p) or 1.17(i)(1).

Respectfully submitted,

STALLMAN & POLLOCK LLP

Dated: 6-8-04

By: 
Brian L. Keating
Reg. No. 39,520
Attorneys for Applicant(s)

Atty Docket No.: LMPY-20310 (358/U)



INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)
LMPY-20310 (358/U)

Application Number
10/699,763

Applicant(s)
Dirk Basting et al.

Filing Date
November 3, 2003

Group Art Unit
Unknown

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*AA	6,381,256	04/30/02	Stamm et al.	372	19	06/22/00
	*AB	6,243,406	06/05/01	Heist et al.	372	59	10/14/99
	*AC	6,704,339	03/09/04	Lublin et al.	372	57	08/30/02
	*AD	6,693,939	02/17/04	Kiene et al.	372	58	05/07/02
	*AE	6,690,704	02/10/04	Fallon et al.	372	58	07/31/02
	*AF	6,625,191	09/23/03	Knowles et al.	372	55	11/30/01
	*AG	6,590,922	07/08/03	Onkels et al.	372	57	06/12/01
	*AH	6,567,450	05/20/03	Myers et al.	372	55	08/29/01
	*AI	6,556,600	04/29/03	Sandstrom et al.	372	25	05/14/01
	*AJ	6,549,551	04/15/03	Ness et al.	372	38.07	05/03/01
	*AK	6,381,257	04/30/02	Ershov et al.	372	57	12/28/99
	*AL	6,370,174	04/09/02	Onkels et al.	372	38.04	12/10/99
	*AM	6,359,922	03/19/02	Partio et al.	372	58	10/20/99
	*AN	6,005,880	12/21/99	Basting et al.	372	38	03/21/97
	*AO	2003/0219094	11/27/03	Basting et al.	378	34	05/19/03
	*AP	2004/0057489	03/25/04	Fallon et al.	372	57	07/30/03
	*AQ	2004/0047385	03/11/04	Knowles et al.	372	55	07/24/03
	*AR	2004/0022293	02/05/04	Rule et al.	372	58	01/31/03
	*AS	2004/0022291	02/05/04	Das et al.	372	55	04/29/03
	*AT	2003/0138019	07/24/03	Rylov et al.	372	58	09/13/02
	*AU	2003/0099269	05/29/03	Ershov et al.	372	55	12/21/01
	*AV	2003/0091087	05/15/03	Ershov et al.	372	55	09/25/02
	*AW	2003/0043876	03/06/03	Lublin et al.	372	55	08/30/02
	*AX	2003/0031216	02/13/03	Fallon et al.	372	29.01	07/31/02
	*AY	2003/0012234	01/16/03	Watson et al.	372	25	06/28/02

FOREIGN PATENT DOCUMENTS

REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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INFORMATION DISCLOSURE CITATION
(Use several sheets if necessary)

Docket Number (Optional)
LMPY-20310 (358/U)

Application Number
10/699,763

Applicant(s)
Dirk Basting et al.

Filing Date
November 3, 2003

Group Art Unit
Unknown

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE
	*AZ	2002/0191654	12/19/02	Klene et al.	372	25	05/07/02
	*BA	2002/0186739	12/12/02	Sandstrom et al.	372	55	05/14/01
	*BB	2002/0154671	10/24/02	Knowles et al.	372	57	01/23/02
	*BC	2002/0154668	10/24/02	Knowles et al.	372	55	11/30/01
	*BD	2002/0114370	08/22/02	Onkels et al.	372	55	06/12/01
	*BE	2002/0085606	07/04/02	Neps et al.	372	55	05/03/01
	*BF	2002/0071468	06/13/02	Sandstrom et al.	372	57	10/03/01
	*BG	2002/0064202	05/30/02	Sandstrom et al.	372	55	04/09/01
	*BH	2002/0044586	04/18/02	Myers et al.	372	57	08/29/01
	*BI	6,198,761	03/06/01	Von Bergmann et al.	372	86	09/03/99
	*BJ	6,226,307	05/01/01	Desor et al.	372	37	11/02/99

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS

(Including Author, Title, Date, Pertinent Pages, Etc.)

BK	In re patent application of Sergei V. Govorkov et al., application no. 10/806,847 filed March 23, 2004, entitled Method and Apparatus for Measuring Amplified Stimulated Emission in the Output of A Master Oscillator Power Amplifier System, 37 pages.
BL	In re application of Hubertus von Bergmann et al., application no. 10/713,583 filed November 14, 2003, entitled Reduced-Maintenance Excimer-Laser with Oil-Free Solid State Pulsar, 36 pages.
BM	In re patent application of Sergei Govorkov et al., application no. 10/776,137 filed February 11, 2004, entitled Excimer or Molecular Fluorine Laser with Several Discharge Chambers, 43 pages.
BN	In re patent application of Sergei Govorkov et al., application no. 10/776,404 filed February 11, 2004, entitled Master Oscillator/Power Amplifier Excimer Laser System with Pulse Energy and Pointing Control, 39 pages.
BO	In re patent application of Sergei V. Govorkov et al., application no. 10/847,071 filed May 17, 2004, entitled MOPA Excimer or Molecular Fluorine Laser System with Improved Synchronization, 54 pages.
BP	D. Basting et al., "Thyratrons with Magnetic Switches: The Key to Reliable Excimer Lasers," <i>Laser und Optoelektronik</i> , No. 2, 1984, 4 pages 128-131.

Examiner

Date Considered

Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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PATENT MAINTENANCE
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application's filing date or PCT national stage date of entry filing but, as far as is

06/16/2004 SDIRETAI 00000089 10699763
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180.00 DP

Atty Docket No.: LMPY-20310 (358/U)

Adjustment date: 08/12/2004 EEKUBAY1
06/16/2004 SDIRETAI 00000089 10699763
01 FC:1806 -180.00 BP

Rep'n. Ref: 08/12/2004 EEKUBAY1 0014430800
DAI: 501703 Name/Number: 10699763 \$180.00 CR
FC: 9204

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